

MEETING**ADULTS AND SAFEGUARDING COMMITTEE****DATE AND TIME****THURSDAY 23RD APRIL, 2015****AT 7.00 PM****VENUE****HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

| Item No | Title of Report | Pages |
|---------|--|--------|
| 1. | MINUTES | 1 - 8 |
| 5. | PUBLIC QUESTIONS AND COMMENTS (IF ANY) | 9 - 24 |

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Decisions of the Adults and Safeguarding Committee

19 March 2015

Members Present:-

AGENDA ITEM 1

Councillor Sachin Rajput (Chairman)
Councillor Tom Davey (Vice-Chairman)

Councillor Barry Rawlings
Councillor Philip Cohen
Councillor
Pauline Coakley Webb

Councillor Helena Hart
Councillor David Longstaff
Councillor Reema Patel

Apologies for Absence

Councillor Reuben Thompstone

1. MINUTES

RESOLVED that the minutes of the meeting of 26 January 2015 are agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Thompstone. Councillor Finn was present as a substitute.

3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

The following interests were declared:

| Councillor | Item number | Nature of interest |
|---------------------------|-------------|---|
| Councillor Barry Rawlings | 6 and 7 | Non Pecuniary interest by virtue of being a member of Unison. |
| Councillor Reema Patel | 6 and 7 | Non Pecuniary interest by virtue of being a member of Unison |

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

The Chairman addressed the Committee in regard to the recent Your Choice Barnet inspection and made the following points in summary

- That he had informed officers that he was to bring this as an Urgent Member's Item to the present meeting, but that he would now provide a brief statement prior to the public questions to assist all present and to remind the public therewith of the rules concerning public questions and comment. He also informed the committee that the topic will also be considered later in the agenda as a Member's Item had been submitted in the name of Councillor Rawlings.
- That the Barnet Supported Living Service has five schemes across the Borough, providing support to adults with learning disabilities, mental health needs and autism. Three of the schemes are self-contained flats and two are shared houses, and all schemes are staffed 24 hours a day and are overseen by a registered manager.
- That the Service was inspected by the CQC on 6th and 7th August 2014 – using a new inspection process which was then in pilot phase– with a report which was published on CQC's website on 26th February 2015 (and then updated on 3rd March 2015). He indicated that the delay between the inspection visit and the publication of the report, including the ratings is a matter of concern.
- That Officers advised that Your Choice Barnet were not informed of the inspection outcome until 1st February 2015, and council officers were then made aware of the inspection report and the rating by YCB later that month, on 13th February 2015, and that he had been made aware thereafter. At this point, the inspection report was embargoed by CQC until publication.
- That he had instructed officers to write to the CQC expressing concern about the delay.
- That the Service had previously been inspected on 29th January 2013 and on 9th September 2013 under the CQC's previous inspection regime and received positive inspections.
- The January 2013 inspection found that four out of the five standards were met and the September 2013 inspection found that all five standards were met.
- He provided an outline of the new CQC inspection criteria.
- That Council Officers confirmed they had been working with Your Choice Barnet on the actions needed to address the issues set out in the report, through the formal contract management procedures.
- That Officers from Adults and Communities confirmed they had been making regular monitoring visits and the care needs and safety of all service users were being reviewed by a member of the Learning Disabilities social work team.
- That a detailed action plan is being developed by YCB and agreed by the YCB Board in order to ensure progress is made against all the issues highlighted in the report.
- That he had requested Officers to bring a report to the next Adults and Safeguarding Committee on the progress of implementing improvements to the Service.

Details of the questions asked and the published answers were provided with the agenda papers for the meeting. Verbal responses were given to supplementary questions at the meeting.

Mr. Tony Solomons made a public comment in relation to Agenda Item 7 (Your Choice Barnet Task and Finish Group) Members asked questions following the comment which were answered by Mr. Solomons.

Ms. Janet Leifer made a public comment in relation to Agenda Item 7 (Your Choice Barnet, Task and Finish Group – update report) on behalf of Mr. John Sullivan. Members asked questions following the comments which were answered by Ms. Leifer.

6. MEMBERS' ITEMS (IF ANY)

(a) MEMBER'S ITEM - COUNCILLOR BARRY RAWLINGS

At the invitation of the Chairman, Councillor Barry Rawlings introduced his Members' Item relating to the Care Quality Commission inspection rating for Your Choice Barnet.

The Committee provided the following instruction on the Member's Item:

- **RESOLVED that a report containing the following be provided to the Committee's April meeting:**
 - The status of care provision provided by Your Choice Barnet will be provided to the next meeting of the Adults and Safeguarding Committee.
 - Whether any reviews of care plans highlighted any issues before the inspection.
 - An analysis of the increase in use of agency / temporary staff from 2010/11 to date.
 - An analysis of the impact of changing the management structure to only one Manager across 5 sites.
 - An update on implementation of the action plan since the inspection.

7. YOUR CHOICE BARNET TASK AND FINISH GROUP - UPDATE REPORT

The Chairman introduced the report, which provided an update on the implementations of the "Your Choice Barnet Task and Finish Group", which reported to Cabinet on 25 February 2014.

The Chairman invited Helen Davies from UNISON to address the Committee.

The Committee discussed the report which provided an update on the Your Choice Barnet Task and Finish Group.

The Committee noted that they would receive a report on Your Choice Barnet at their meeting on 23 April 2015.

RESOLVED that the Committee note the progress made on implementation of the recommendations by the Your Choice Barnet Task and Finish Group.

8. ADULTS AND SAFEGUARDING COMMISSIONING PLAN 2015 - 2020

Dawn Wakeling, Commissioning Director for Adults, introduced the item, which set out the five-year Commissioning Plan from 2015/16 to 2019/20. Ms. Wakeling noted that the final key performance indicators as specified in the plan have now been set.

The Chairman moved to the vote. Votes were recorded as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

That the Adults and Safeguarding Committee approve the Commissioning Plan for the Committee as set out at Appendix A, taking rigorous consideration of the consultation responses set out in Appendix C and the equalities analysis.

9. IMPLEMENTING THE CARE ACT 2014: ELIGIBILITY; INCREASED DEMAND; CARERS CONTRIBUTIONS AND CARE ARRANGEMENT FEES

The Chairman introduced the report relating to the Implementation of the Care Act 2014, with attention on eligibility, increased demand, carers contributions and care arrangement fees.

The Chairman moved to the vote. Votes were recorded as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

- 1. That the Adults and Safeguarding Committee approve the adoption of the Assessment and Eligibility Policy for Adults in Need (Appendix 1).**
- 2. That the Adults and Safeguarding Committee approve the adoption of the Assessment and Eligibility Policy for Carers (Appendix 2).**
- 3. That the Adults and Safeguarding Committee approve the recommendation to continue with its existing policy of not charging for carer's services as set out in paragraphs 2.7 to 2.10 and specifically referenced in paragraph 2.9.**
- 4. That the Adults and Safeguarding Committee approve the recommendation on charging a care arrangement fee for people who pay the full cost of their care as set out in paragraphs 2.11 to 2.21 and specifically referenced in paragraphs 2.17 and 2.19 of this report.**
- 5. That the Adults and Safeguarding Committee note the remodelling of the first point of contact enabling it to manage the increase in demand arising from the Care Act 2014 (paragraphs 2.22 – 2.28).**

10. IMPLEMENTING THE CARE ACT 2014: MARKET SHAPING; PROVIDER FAILURE

The Chairman introduced the report relating to the Implementation of the Care Act 2014, with attention on market shaping and provider failure

The Chairman moved to the vote. Votes were recorded as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

- 1. That the Adults and Safeguarding Committee note that a refreshed Market Position Statement is being developed to meet the new market shaping duties under the Care Act 2014.**
- 2. That the Adults and Safeguarding Committee approve the adoption of the Market Failure Policy (Appendix 1).**

11. IMPLEMENTING THE CARE ACT 2014: CARERS; PREVENTION; INFORMATION, ADVICE AND ADVOCACY

The Chairman introduced the report relating to the Implementation of the Care Act 2014, with attention on carers, prevention, information, advice and advocacy.

The Chairman moved to the vote. Votes were recorded as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

- 1. That the Adults and Safeguarding Committee note the new rights of carers to care and support under the Care Act 2014 (Appendix 1).**
- 2. That the Committee note the joint working between Adults and Communities and Family Services with respect to Carers and Young Carers (paragraphs 2.1 to 2.2).**
- 3. That the Adults and Safeguarding Committee approve the adoption of the Prevention Policy (Appendix 2).**
- 4. That the Adults and Safeguarding Committee approve the adoption of the Information, Advice and Advocacy Policy (Appendix 3).**

12. CORPORATE GRANTS PROGRAMME, 2014/15 - GRANT APPLICATIONS

The Chairman introduced the report which sought approval to extend funding of Community Focus through an existing funding agreement to 31 March 2016.

The Chairman moved to the vote. Votes were recorded as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

- 1. That, subject to the council's Standard Conditions of Grant Aid, the existing funding agreement with Community Focus, subsidising places on its courses for older and disabled people to improve their resilience and capacity to live independently, be extended for a further twelve months beyond 2014/15 to 31 March 2016.**
- 2. That a grant of £51,300 to Community Focus be approved for 2015/16.**
- 3. That the Chief Operating Officer and Director of Finance be authorised to finalise terms and conditions in relation to the grant.**

13. COMMUNITY FOCUS - EXTENSION OF FUNDING AGREEMENT, 2015/16

The Chairman introduced the report which related to Community Focus – Extension of Funding Agreement, 2015/16.

The Committee voted on the item as follows:

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| For | 9 |
| Against | 0 |
| Abstain | 0 |

The vote was carried and the following was therefore **RESOLVED**:

- 4. That, subject to the council's Standard Conditions of Grant Aid, the existing funding agreement with Community Focus, subsidising places on its courses for older and disabled people to improve their resilience and capacity to live independently, be extended for a further twelve months beyond 2014/15 to 31 March 2016.**
- 5. That a grant of £51,300 to Community Focus be approved for 2015/16.**

- 6. That the Chief Operating Officer and Director of Finance be authorised to finalise terms and conditions in relation to the grant.**

14. COMMITTEE FORWARD WORK PROGRAMME

The Governance Officer introduced the report.

The Committee discussed and considered the contents of the report.

The Committee noted that following the Member's Item considered at Agenda Item 6a (Care Quality Commission inspection rating for Your Choice Barnet), a report would be brought to the Committee's next meeting on 23 April 2015.

RESOLVED:

- That the Committee note the report.

15. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.05 pm

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| No. | Item Number | Raised by | Question Raised | Answer |
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| 1 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report to Care Quality Commission's (CQC) Inspection of the Barnet Supported Living Service | Tony Solomons | Agenda Item 7: para. 1.6.5 states that "a private company has been sourced to carry out an independent inspection of the services." Which services are these, which is the private company, what is the cost, and why are LBB officers unable to carry out the inspection? | This inspection is to be carried out by a third party organization, W and P Assessment and Training Centre and will be in addition to the scrutiny arrangements carried out by LBB and has been jointly commissioned by YCB and the Council in order to provide additional independent assurance and validation that improvements have been made and can be maintained. The cost is £1,080 |
| 2 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tony Solomons | Agenda Item 7: In light of the CQC verdict on Supported Living, what steps are being taken to tighten up scrutiny of other YCB services, especially those where the CQC is not involved? | <p>YCB has put measures in place to ensure that all services have more robust quality monitoring. The specific measures are described in the CQC action plan and all areas of monitoring referred to in the CQC action plan have been rolled out across the organisation to all services.</p> <p>In addition the following action has been put in place by Adults & Communities:</p> <ul style="list-style-type: none"> • Monthly Contract Monitoring based on monitoring YCB's progress in implementing the CQC Action Plan. The Performance Framework which is agreed with YCB and which forms the basis of formal contract monitoring is being updated to include the new CQC inspection framework as it applies to all YCB services, in light of the report on the Supported Living Service published in |

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| | | | | <p>February 2015.</p> <ul style="list-style-type: none"> Announced and unannounced visits of all YCB services by Monitoring Officers in the Council's Quality & Purchasing Team based in Adults and Communities. Additional reviews of service users' care plans (services commissioned from YCB) by social workers, prioritising those in the Supported Living Service immediately following publication of the CQC inspection report. Quality monitoring visits, contract monitoring activity and scheduled reviews of service users' needs will continue on a regular basis. |
| 3 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Janet Leifer | <p>Why is it necessary to source a private company to carry out independent inspection of the services, what company is doing it and how much will it cost? (1.6.5)</p> | <p>Please refer to question 1.</p> |
| 4 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Janet Leifer | <p>Which of the Supported Living services has the Quality Assurance Group audited on what dates and what specific topics were they auditing? Had they read the CQC report before they conducted an audit? (Page 12)</p> | <p>It was agreed with the members of the Quality Assurance Group that there needed to be further discussions with the service users and their families, before carrying out an audit within service users' flats, therefore the supported living services were not audited in the first round, there are plans to include these services in the future.</p> <p>The CQC report was not available at the time of the audits which were carried out in all the other YCB services, the standard reviewed was cleanliness.</p> |

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| | | | | <p>The following Supported Living Services were visited by Quality & Purchasing Monitoring Officers (part of Barnet Council Adults & Communities Delivery Unit) :</p> <ol style="list-style-type: none"> 1. Quartz Court, 20/02/2015 2. September Court, 27/02/2015 3. Harold Court, 02/03/2015 4. Leadbeaters, 18/03/2015 5. Agatha Court, 02/03/2015 6. Valley Way, 05/03/2015 <p>The above visits reviewed the following areas, based on the CQC Inspection report:</p> <ul style="list-style-type: none"> • Kitchen area relating to food hygiene & nutrition including freezer, food storage area, deliveries. • Deprivation Of Liberty Standards (DOLS) – referrals are completed for all residents as necessary. • Shift Handover Forms – that all forms are completed and signed off by a manager. • Medication Administration Record (MAR) Sheets – MAR sheet processes clarified for all staff i.e. weekly medication audits carried out. • Tenants’ support plans and risk assessments are updated. • Hospital Passports and Health Action Plans are updated. |
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| 5 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | <p>Good policies and procedures are well and good and needed by front line staff and management, but at the end of the day the quality of service is measured by the implementation of them. I therefore ask what are you doing further to improving the paperwork, to change the conditions that led to the risks identified by the CQC inspector to the individual service users?</p> | <p>The paperwork that is used in all of YCB services has been reviewed and where required updated, the documents are now all typed, as opposed to handwritten, to ensure legibility and there are resources in place to ensure that this is maintained. The documentation is subject to spot checks and sampling by the registered manager and is also available for audit by LBB (as in question 4).</p> |
| 6 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | <p>Are key-workers always permanent staff? If yes – are they consistently based in the same setting? If no – how do you ensure consistency of personal contact for the service users?</p> | <p>Yes, key workers are permanent support workers, i.e. who have permanent contracts, and they are based in the service where the service user lives.</p> |
| 7 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | <p>What is the procedure of handover between shifts? (please provide details of when handover or debriefing is done, how much time is allowed for it, by whom is it done - the worker finishing the previous shift, the line manager or team leader in charge of each shift, or anyone else? are handovers always of individual service users' cases?</p> | <p>There are shift handover meetings at the end of every shift and the beginning of the next. The precise time of day for each meeting may vary in accordance with shift patterns in the different supported living services. However, it will often be around 2pm, for about half an hour or longer if required. Information about individual service users is always handed over, along with information on the whole service, using each service user's communication books and the service diary. The handover is led by the senior staff member on duty, the shift leader.</p> |

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| 8 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | How much time do agency and as/when staff or staff members from other settings get at the beginning of a shift to familiarise themselves with the support plans of the service users they support and their medication? | <p>All staff including agency and as and when staff workers are inducted to work in a service when they first join the organisation. The time this takes varies depending on knowledge and skills, however we would expect inexperienced staff on average to have 12 weeks of induction and 'on the job' learning. This ensures that they are familiar with the setting and each service users' support plans and medication. In addition to the induction process, there is a medication profile for each person that is kept with the medication administration sheet and medication is only administered by staff trained to do so</p> |
| 9 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What are the requirements from agency support staff in terms of trainings' certificates relating to administering medication, manual handling, first aid including dealing with epilepsy, food hygiene etc? | <p>YCB requires agency staff to have undertaken training in, administering medication, data protection, food hygiene, moving and handling, safeguarding, first aid, health and safety; and epilepsy, if this is a need of users of the service and hence required by the service. YCB carries out monthly checks with the agencies to ensure that certificates are current.</p> |
| 10 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | In the recruitment of agency staff and the assignment of as & when staff or those transferred from other settings, how do you match the existing certified skills of the worker with the specific needs of the service users they will support at any particular time (e.g. supporting service users with epilepsy or with dementia), to ensure full capability of the worker to address any need as it arises? | <p>Please also see answers to Qs 8 and 9. YCB ensure the skills and training of all agency workers and as and when staff are regularly reviewed and matched to the service users' needs, including dementia and epilepsy. Agency and as and when staff do not work in a service if they have not undergone induction into that service.</p> |

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| 11 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | Who is responsible for the training of agency staff who have not got yet the full set of such certificates? | Agencies provide their staff training and YCB monitors this during monthly audit visits (please refer to 9). YCB does not use agency workers who have not completed the training referred to in Q9 above/ |
| 12 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | How freely can staff members (of all types of employment contracts) ask for training or point out to their line managers when they feel insufficiently trained to carry out their responsibilities? | All staff can request training at any time. This can be done through iTrent (electronic HR system) verbally or in writing. Training needs and requests for training are monitored by the service coordinators and staff are informed when training is booked if they require it. |
| 13 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | Who pays for the training time of support workers employed on zero hours' contracts? | YCB pays for both the training course and for the time for as and when workers. |
| 14 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | Are support workers going to be given more on contact time with the service users they are key-working in addition to the off contact time needed for updating the support plans? | There is a mix of contact and non-contact time for workers, to ensure that the service users' needs are met and that there is sufficient time for team meetings, supervision etc. Support planning is carried out with the service user so that they can input to the plan and will therefore take the time needed by the service user. |

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| 15 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What is the ratio of agency staff to permanent staff members in the level of (senior) support workers? | All support worker posts are permanent employees. |
| 16 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What is the ratio of agency staff to permanent staff in the level of assistant support workers? | In Q4 of 2014/15, 15% of assistant support worker hours were covered by agency workers, currently the equivalent of 2.7 FTE. There are 18 FTE posts which is a ratio of approximately 1 agency to 6 permanent |
| 17 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What is the ratio of staff to service users currently? | The staffing levels are not based on ratios, each service user's needs are assessed and this forms the basis of their support, which is provided on an individual basis. . If for example there was a new service user who came to supported living with 32 hour per week support package the service would require an additional full time member of staff. |
| 18 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What was the ratio of staff to service users during the CQC inspection of Supported Living services? | Please see 17. |
| 19 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | What was the ratio of staff to service users prior to the outsourcing of YCB in Feb 2012? | Please see 17. |

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| 20 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | Who is the senior worker in charge of every shift (in terms of job title/capacity)? (a manager, service coordinator or a senior support worker) and are they physically around at each setting in every shift? | There is a staff member identified on the rota for every shift as 'shift leader'. This will be an experienced member of the team and would be a support worker or an assistant support worker. The service co-ordinators are also based in the services on a daily basis. |
| 21 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | How frequently are there team meetings and who do they include? | Team meetings are held every two-three weeks, all staff are required to attend, as and when and agency staff also attend when they are on shift. |
| 22 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | How are you ensuring clear verbal communication, as well as the written one, to the support workers (agency as well as permanent) who cannot attend the team meetings because they are on duty or because they are not working that day? | All staff are required to read the minutes of the team meetings and important issues are communicated verbally (as on-going handover issues) the next time the staff member is on shift. The service user's communication book has important updates highlighted and the service diary is also updated. The service co-ordinator is responsible for ensuring that information is shared, as well as being shared in the regular hand over meetings |

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| 23 | Item 7 Your Choice (Barnet) – (YCB) – Follow Up Report | Tirza Waisel | <p>1.3.9 The agency usage during 2014/2015 has remained high and was at 21% at the end of quarter three; this was in spite of an ongoing recruitment campaign. A number of posts have now been recruited to, though some offers had to be withdrawn due to unsatisfactory pre-employment checks.</p> <p>In light of this evidence of the loss of long-standing and trusted professional support staff which is apparently detrimental to the service, do you feel any regrets about the outsourcing of YCB services and the subsequent restructuring of it?</p> | <p>Eight staff were made redundant in 2013 and four of them have returned to work for YCB on an as and when basis</p> <p>Agency staff usage reduced to 15% for 2014/15 Quarter 4 (January to March 2015), compared to 21% in Quarter 3. The outturn for 2014/15 as a whole was 20% compared to a target of 10%. Further reductions in Agency usage can be expected as vacant permanent posts are filled.</p> <p>The rationale and business case for setting up Your Choice Barnet as a local authority trading company (LATC) has been scrutinised since the original decision to implement the LATC was taken. This scrutiny was carried out by a cross-party Scrutiny Task and Finish group, which made recommendations to improve aspects of the operation of the services. The recommendations have been implemented and reported back to the Adults and Safeguarding Committee.</p> |
| 24 | Item 7 Your Choice (Barnet) – (YCB) – Follow Up Report | Tirza Waisel | <p>1.6.1 CQC inspected the services in August 2014 and verbal feedback was provided at the time indicating that some improvements were required, but that the service was on the whole a good one and in particular the coordinators and staff were doing a good job.</p> <p>Which staff members in particular (not by name) were commended by the inspectors, and how long have they been employed by YCB or LBB in their capacity?</p> | <p>Whilst YCB know who was on shift over the two days of the inspection, CQC do not specify in their feedback who the inspector spoke to or observed. The discussions the CQC have with the staff of course remain confidential. The feedback given by the inspector related to the team of coordinators and staff as a whole.</p> |

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| 25 | Item 7 Your Choice (Barnet) (YCB) – Follow Up Report | Tirza Waisel | <p>1.6.5 Since the Adults and Safeguarding Committee met on the 19th March a private company has been sourced to carry out an independent inspection of the services at a date to be agreed.</p> <ol style="list-style-type: none"> 1. What is the purpose of this independent inspection, given that the CQC is supposed to have done exactly that (independent inspection), and given that a Quality Assurance Group had been set up at the end of 2014? 2. If the latter is not sufficient, why does it need to be a private company, rather than in-house staff accountable to the Director of Adults & Health in LBB, the Performance and Contract Management Committee, the Adults & Communities Delivery Unit and/or this committee (Adults & Safeguarding)? 3. What private company was sourced to do this inspection? 4. How much is it being paid? 5. Who pays it? (YCB? The Barnet Group? LBB?) 6. What do you mean by 'a date to be agreed'? (will it be in the short term, long term, will it be timed to challenge or to follow up the current CQC report's findings or to pre-empt the next one?) <p>Please refer to question 1.</p> <p>The date for the independent inspection is currently being arranged with the company and it will be timed to ensure that the service is meeting the improvements that have been identified. The inspection will provide independent assurance that the required improvements have been implemented.</p> |
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| 26 | Item 7 Your Choice (Barnet) – (YCB) – Follow Up Report | Tirza Waisel | <p>'The registered person and the provider had not taken appropriate steps to make sure there was sufficient staff to meet service user's needs.' [CQC report]</p> <p>It is disputed that there are insufficient staff to meet service user's needs, the contract moved from a block purchase arrangement in 2013 and all service users had an assessment of their needs at the time. The hours provided are commensurate with support plans and identified outcomes for each individual. [YCB response]</p> <p>This CQC observation reiterates testimonies that reached us about 2 years ago (which unfortunately we were unable to substantiate at the time as witnesses were reluctant to come forward), about insufficient staffing levels that led for example to a service user being deprived of visits to his elderly father because there was not enough staff to accompany him.</p> <ol style="list-style-type: none"> 1. How can we be sure that the Needs Assessments in 2013 were done with the best interests and the comprehensive needs of the service users at heart and not with a view to minimise cost to the council, who ultimately pays YCB for meeting those needs? 2. How frequently are these assessments done and updated since 2013? 3. Who carries them out and who attends | <p>The assessments carried out in 2013 were carried out in a person-centered way in line with professional standards by social workers in the Council's Learning Disabilities team. They were carried out using the council's usual assessment process, based on then applicable national Fair Access to Care eligibility criteria (replaced by new criteria in the Care Act 2014) and placing the person or representatives views at the heart of the assessment, in line with the policy of self-directed support.</p> <p>The Local Authority reviews cases on at least an annual basis or more frequently if required – ensuring that the person's outcomes are being met by the service received whilst exploring any further areas of need or opportunities to change aspects of the care provided.</p> <p>The review should be attended by the individual and any representative or support (i.e relative / carer) that the person themselves would like to attend. Alternatively it may be suitable for an advocate to attend who could meaningfully represent the individual's best interests. The review itself will take into account all of the key people in that person's life whilst remaining the focus of the review on the individual themselves.</p> |
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| | | | | them from the service user's side to ensure a comprehensive assessment and best interests? (family member? Advocate?) |
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| 27 | Item 8 – The Independent Living Fund Transfer | Tirza Waisel | <p>Is the operation of ILF eligibility criteria according to FACS (check) and Fairer Contribution policy dictated by national policies? If not – why do you recommend this?</p> | <p>The Independent Living Fund (ILF) eligibility criteria is different from Councils' eligibility criteria for adult social care. The assessment of financial contributions and the assessment of how care needs are met are both different. However, both are national policies and national guidance about the transfer of ILF has been issued.</p> <p>The Care Act 2014 introduced national eligibility criteria for care which have replaced Fair Access to Care eligibility criteria.</p> <p>The Adults and Safeguarding Committee is being requested to mainstream the assessment of care and financial contributions of ILF recipients into the policy of the Council which follows Care Act requirements to ensure a consistent approach to meeting needs.</p> |
| 28 | Item 8 – The Independent Living Fund Transfer | Tirza Waisel | <p>Why are you proposing to not ring fence the money for use specifically on purposes that up till now were addressed by the ILF? It sounds like you are looking to equalize the provision with other recipients of social care downward.</p> | <p>Funding transferred following the closure of the ILF will be earmarked for those currently in receipt of ILF payments.</p> <p>In the period leading up to and following the transfer it is proposed that a review is undertaken of a person's care needs. This will ensure that care packages continue to meet these assessed needs. A review will take into account; the level of eligible need; the outcomes which need to be met and the level of funding required to meet need.</p> <p>There is no intention to reduce care funding downwards and each case will be assessed individually and comprehensively to ensure that all eligible needs are supported to be met.</p> |

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| 29 | Item 8 – The Independent Living Fund Transfer | Tirza Waisel | <p>1.7 until a care needs assessment has been completed. Furthermore, local authorities should take reasonable steps to make a user aware of any changes to a user's personal budget following the transfer.</p> <p>Can you give example of how the transfer of ILF to LBB would cause such changes and how this will affect someone's personal budget?</p> | <p>Individual reviews will be undertaken in accordance with the eligibility criteria as set out in the Care Act 2014. This will be a person-centered and outcome focused review with a focus on ensuring the individual is as independent and well supported in the community as possible. Following the review all recipients of ILF will be informed of the outcome and any changes where appropriate.</p> <p>For example, a review or reassessment of a person's care needs may lead to a support plan being amended to reflect the new care needs and outcomes to be provided.</p> |
| 30 | Item 8 – The Independent Living Fund Transfer | Tirza Waisel | <p>Further on in the summary you present measures proposed to give advice and information and help during a transitional period; how are you going to mitigate the actual daily hardships expected from the reduction in income to meet needs related to disability, and especially after the transitional period?</p> | <p>A social worker will visit the person receiving care in their home setting. The social worker will review each individuals care needs and firstly ensure that they meet the criteria under the Care Act 2014. Following this they will look in detail at the care required to manage safely and independently in the community. The individual receiving care will be at the heart of this review.</p> <p>Following the assessment from a social care worker they will also be contacted by the Council's Financial Assessment Team to assess their finances. A home visit will be offered and a benefits check provided to ensure that the person receiving care (and their carer where appropriate) is receiving all of their welfare benefits. Further advice and information will also be made available, including referrals for independent advice and support.</p> |

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| 31 | Item 8 – The Independent Living Fund Transfer | Tirza Waisel | <p>2.2.3 The consultation has shown that there is a large degree of anxiety among Independent Living Fund recipients about the transfer. [...] 46% of those who responded to the questionnaire disagreed or strongly disagreed with the proposal to assess the care and support needs of those receiving Independent Living Fund Payments in the same way as people assessed as receiving other care services.</p> <p>2.2.4 It is proposed that Independent Living Fund users' assessments are carried out using the care needs and support planning assessments used by Adults and Communities for adults in need of care, in accordance with statutory guidance issued under the Care Act 2014.</p> <p>Can you explain why are you acting in contrary to the finding of the consultation and how are you addressing the high level of anxiety and disagreement by those people with disabilities who are depended on you?</p> | <p>From 1 April 2015, it is a requirement under the Care Act that care needs are assessed in accordance with eligibility criteria as set out in the Act.</p> <p>To ensure fairness it is proposed that all those with assessed eligible care needs will be assessed in accordance with the Care Act. This includes people who receive funding from the ILF, which this summer will cease to exist.</p> <p>With regard to managing anxieties, this is acknowledged and all those receiving ILF payments will be fully informed, having received visits and communication from the ILF about the transfer. There are also data exchange arrangements between the Council and the ILF to ensure that the transfer is managed appropriately.</p> <p>The Social Workers carrying out the review / reassessments will be assessing and supporting the individuals in receipt of ILF to ensure a fair and equitable outcome in line with eligibility criteria and good practice.</p> |
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